

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

ADVANCED CARDIOVASCULAR)	
SYSTEMS, INC. and GUIDANT SALES)	
CORPORATION,)	
)	
Plaintiffs,)	C.A. No. 98-80 (SLR)
)	(Consolidated with C.A.
v.)	No. 98-314 (SLR) and C.A.
)	No. 98-316(SLR))
MEDTRONIC VASCULAR, INC. and)	
MEDTRONIC USA, INC.,)	
)	
Defendants.)	

**MEDTRONIC'S SUPPLEMENTAL SUBMISSION PURSUANT
TO D. DEL. L.R. 7.1.2(c) PROVIDING THE FOUR OFFICE ACTIONS OF
THE U.S. PATENT AND TRADEMARK OFFICE REJECTING
EACH OF THE ASSERTED CLAIMS AS UNPATENTABLE**

On February 21, 2006, defendants Medtronic Vascular, Inc. and Medtronic USA, Inc. (“Medtronic”) advised the Court that the United States Patent and Trademark Office (“USPTO”) had granted Medtronic’s Requests for Reexamination of all four of the patents asserted by plaintiffs: U.S. Patent Nos. 5,515,154, 6,066,167, 6,066,168, and 6,432,133 (collectively, the “asserted patents”). (D.I. 696).

Pursuant to D. Del. LR 7.1.2(c), Medtronic further advises that, on December 21, 2006, the USPTO issued an Office Action in the reexamination of each of the asserted patents. The USPTO rejected each of the asserted patent claims as unpatentable and plaintiffs now have an opportunity to respond. Copies of the USPTO’s findings are attached as Exs. A-D.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Karen Jacobs Louden

Karen Jacobs Louden (#2881)
klouden@mnat.com
Leslie A. Polizoti (#4299)
1201 N. Market Street
P.O. Box 1347
Wilmington, Delaware 19899-1347
(302) 658-9200
*Attorneys for Medtronic Vascular, Inc.
and Medtronic USA, Inc.*

December 27, 2006

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on December 27, 2006 I electronically filed the foregoing with the Clerk of the Court using CM/ECF which will send notification of such filing to Frederick L. Cottrell, III.

I further certify that on December 27, 2006 I served copies of the foregoing to the following counsel in the manner indicated:

By Hand

Frederick L. Cottrell, III
Anne Shea Gaza
Richards Layton & Finger
One Rodney Square
P.O. Box 551
Wilmington, DE 19899

/s/ Karen Jacobs Louden
Karen Jacobs Louden (#2881)
klouden@mnat.com